

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

|                        |                    |
|------------------------|--------------------|
| Attorney Docket No.    | 2024729-7014395001 |
| First Inventor         | Thomas P. Coen     |
| Title                  | IRRIGATION SHEATH  |
| Express Mail Label No. | EU874341247US      |

1610 U.S. PTO  
21910 U.S. PTO  
07/23/03

|   |  |                                     |  |
|---|--|-------------------------------------|--|
| APPLICATION ELEMENTS<br><small>See MPEP chapter 600 concerning utility patent application contents.</small>   |  | ADDRESS TO:                         | Commissioner for Patents<br>Mail Stop Patent Application<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 |
| ENCLOSURES (check all that apply)   |  |                                     |  |
| <p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17)<br/>(Submit an original and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims a small entity status.<br/>See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages 22]<br/>(preferred arrangement set forth below)</p> <ul style="list-style-type: none"> <li>- Descriptive title of the invention</li> <li>- Cross Reference to Related Applications</li> <li>- Statement Regarding Fed sponsored R &amp; D</li> <li>- Reference to sequence listing, a table or computer program listing appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings (if filed)</li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 4]</p> <p>5. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages 2]           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Newly executed (original or copy)</li> <li>b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))<br/>(for continuation/divisional with Box 18 completed)               <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br/>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)</li> </ul> </li> </ul> </p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Computer Readable Form (CRF)</li> <li>b. Specification Sequence Listing on:               <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</li> <li>ii. <input type="checkbox"/> paper</li> </ul> </li> <li>c. <input type="checkbox"/> Statements verifying identity of above copies</li> </ul> </p> |  |                                     |  |
| ACCOMPANYING APPLICATION PARTS  |  |                                     |  |
| <p>9. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of (where there is an assignee) <input type="checkbox"/> Attorney</p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citation</p> <p>13. <input checked="" type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</p> <p>17. <input type="checkbox"/> Other: *</p>   |  |                                     |  |
| 18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:   |  |                                     |  |
| <input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP)  |  | of prior application No. 09/886,754 |  |
| Prior application information   |  | Examiner Kenneth G. Shopfer         |  |
| For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.  |  |                                     |  |

## 19. CORRESPONDENCE ADDRESS

|  |   |                                   |                |               |  |
|--|---|-----------------------------------|----------------|---------------|--|
| <input type="checkbox"/> Customer Number or Bar Code Label | (Insert Customer No. or Attach bar code label here) |                                   |                | or            | <input checked="" type="checkbox"/> Correspondence address below |
| Name   | Bingham McCutchen LLP                               |                                   |                |               |  |
| Address  | Three Embarcadero Center, Suite 1800                |                                   |                |               |  |
| City   | San Francisco                                       | State                             | CA             | Zip Code      | 94111-4067   |
| Country  | US  | Telephone                         | (213) 680-6865 | Fax           | (213) 680-6499   |
| Name (Print/Type)  | Michael J. Bolen                                    | Registration No. (Attorney/Agent) |                | 42,339        |  |
| Signature  |   |                                   | Date           | July 23, 2003 |  |

## CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EU874341247US

Date of Deposit: July 23, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Commissioner for Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, VA 22313.

*Jocelyn L. Lee*  
Jocelyn L. Lee

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

# FEE TRANSMITTAL FOR FY 2003

Patent fees are subject to annual revision.

## Complete if Known

|                      |                  |
|----------------------|------------------|
| Application Number   | Not Yet Assigned |
| Filing Date          | July 23, 2003    |
| First Named Inventor | Thomas P. Coen   |
| Examiner Name        | Not Yet Assigned |
| Group Art Unit       | Not Yet Assigned |

## TOTAL AMOUNT OF PAYMENT

(\$750)

Attorney Docket No. 2024729-7014395001

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 50-2518

Deposit Account Name Bingham McCutchen LLP

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit Card  Money Order  Other

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

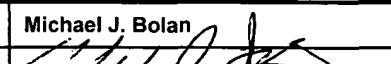
| Large Fee Code     | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description  | Fee Paid |
|--------------------|-----------------|----------------|-----------------|--|----------|
| 1051               | 130             | 2051           | 65              | Surcharge - late filing fee or oath  |          |
| 1052               | 50              | 2052           | 25              | Surcharge - late provisional filing fee or cover sheet                       |          |
| 1053               | 130             | 1053           | 130             | Non-English specification  |          |
| 1812               | 2,520           | 1812           | 2,520           | For filing a request for <i>ex parte</i> reexamination                       |          |
| 1804               | 920*            | 1804           | 920*            | Requesting publication of SIR prior to Examiner action                       |          |
| 1805               | 1,840*          | 1805           | 1,840*          | Requesting publication of SIR after Examiner action                          |          |
| 1251               | 110             | 2251           | 55              | Extension for reply within first month                                       |          |
| 1252               | 410             | 2252           | 205             | Extension for reply within second month                                      |          |
| 1253               | 930             | 2253           | 465             | Extension for reply within third month                                       |          |
| 1254               | 1,450           | 2254           | 725             | Extension for reply within fourth month                                      |          |
| 1255               | 1,970           | 2255           | 985             | Extension for reply within fifth month                                       |          |
| 1401               | 320             | 2401           | 160             | Notice of Appeal   |          |
| 1402               | 320             | 2402           | 160             | Filing a brief in support of an appeal                                       |          |
| 1403               | 280             | 2403           | 140             | Request for oral hearing   |          |
| 1451               | 1,510           | 1451           | 1,510           | Petition to institute a public use proceeding                                |          |
| 1452               | 110             | 2452           | 55              | Petition to revive - unavoidable   |          |
| 1453               | 1,300           | 2453           | 650             | Petition to revive - unintentional   |          |
| 1501               | 1,300           | 2501           | 650             | Utility issue fee (or reissue)   |          |
| 1502               | 470             | 2502           | 235             | Design issue fee   |          |
| 1503               | 630             | 2503           | 315             | Plant issue fee  |          |
| 1460               | 130             | 1460           | 130             | Petitions to the Commissioner  |          |
| 1807               | 50              | 1807           | 50              | Petitions related to provisional applications                                |          |
| 1806               | 180             | 1806           | 180             | Submission of Information Disclosure Stmt                                    |          |
| 8021               | 40              | 8021           | 40              | Recording each patent assignment per properties (times number of properties) |          |
| 1202               | 18              | 2202           | 9               | Filing a submission after final rejection (37 CFR § 1.129(a))                |          |
| 1201               | 84              | 2201           | 42              | For each additional invention to be examined (37 CFR § 1.129(b))             |          |
| 1203               | 280             | 2203           | 140             | Request for Continued Examination (RCE)                                      |          |
| 1204               | 84              | 2204           | 42              | Request for expedited examination of a design application                    |          |
| 1205               | 18              | 2205           | 9               |  |          |
| SUBTOTAL (2) (\$0) |                 |                |                 | Other fee (specify) _____  |          |

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

Complete (if applicable)

|                   |   |                                   |        |           |                |
|-------------------|---|-----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Michael J. Bolan  | Registration No. (Attorney/Agent) | 42,339 | Telephone | (213) 680-6865 |
| Signature         |  |                                   |        | Date      | July 23, 2003  |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

LA:40243469.1

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